

PLEASE POST

February 1997

PECFA UPDATE 12

We hope that everyone had a happy holiday season and enjoyed the Packers' victory! This PECFA Update addresses the following issues.

1. **Credentialing/COMM 5**
2. **O&M Status Report Forms**
3. **"Where Do I Send Documents?"**
4. **PECFA Eligible Lab Analytes**
5. **Changes in the PECFA Site Review Zones**

COMM 5 Credentialing

Effective November 1, 1996, the Department of Commerce placed all registration, certification and licensing functions into a new Administrative Code designated, *COMM 5 Credentials*. PECFA consultants and consulting firms, tank installers, site assessors, tank removers, electricians, plumbers, welders, blasters and others are included within this code.

There are many parts of this new administrative code that will have a direct impact upon PECFA consultants and consulting firms. The most notable is requirement to renew the credential and fees associated with the renewal and initial application. The following is a description of the changes and the impacts upon the PECFA program.

First, is the change in the terminology. "Registration" is replaced by "credential" and ILHR 47.40 through ILHR 47.41 is replaced by COMM 5 Credentials. The PECFA staff no longer handles the registration of consultants and firms. Now, the Department of Commerce's Customer Service Center (CSC) handles the credentialing process and can be reached at 608-261-8500.

An application is generated by the CSC, mailed to the applicant and the applicant returns the form *with \$70.00*. This fee covers the application (\$20) and credentialing (\$50) for two years. The application fee is a one time cost assuming the consultant or firm renews timely and does not have the credential revoked. PECFA consultants and consulting firms that were registered prior to 11/1/96 do not have to complete an application or pay the application fee. Renewals of both the consultant and firm credential will occur every two year. Credentials for PECFA consultants and consulting firms that were registered prior to 11/1/96 will expire 11/1/98.

**COMM 5
Credentialing
(continued)**

Renewal notices will be sent by the CSC at least 30 days prior to the credential expiration. Failure to receive the notice is not a reason for failure to renewal. At that time a credentialing fee (\$50) must be returned with the renewal notice. Failure to renew within 6 months of the expiration date, will require the submittal of a new application and fee.

Requests for changes in the credential, including address and name changes, must be made to the CSC. The credential holder is responsible for notifying the Department of any changes. Failure to notify may result in not receiving the renewal notice and failure to receive future PECFA Updates as the mailing list for the Updates will be generated from the credentialing database. Credential holders (consultants) must carry the credential while conducting work and must be able to present the credential when requested. The credential card is a plastic laminate and should fit nicely in a wallet or purse.

Insurance requirements in COMM 5 are very similar to ILHR 47.40. The errors and omissions professional liability coverage, including pollution impairment liability continues to be no less than \$1,000,000 per claim, \$1,000,000 annual aggregate and with a deductible of no more that \$100,000 per claim. The AM Best rating is not required nor is the alternate mechanism for meeting the requirement of the maximum deductible in COMM 5. At this time, proof of insurance is still required to be submitted with each claim.

Reasons for denial, suspension and revocation of the credential are broader than ILHR 47.41 and are listed below.

1. Fails to meet qualifications,
2. Obtained credential through fraud or deceit,
3. Has demonstrated negligence or incompetence,
4. Has a conflict of interest,
5. Has demonstrated misconduct,
6. Has been arrested or convicted of a crime related to the credential,
7. Has a physical or mental impairment which prevents fulfilling the obligations of the credential and
8. Has violated state, local or federal laws related to the credential.

ILHR 47.41 had specific periods of time for a suspension (disqualification) but, COMM 5 now requires the Department to determine the period. Reinstatement, after the suspension has been served, is possible without paying an application fee (\$20). The Department may immediately suspend the credential if it is found that immediate action is necessary for public health, safety or welfare. Penalties for violations of COMM 5 are possible.

COMM 5 can be purchased for \$6.00 (includes shipping), plus tax from; Document Sales, phone 608-266-3358 (credit card sales call 800-362-7253). All questions and calls regarding PECFA credentialing (registration) should be directed to the CSC,

phone 608-261-8500.

**STATUS
REPORT
FORMS**

Effective November 1, 1996, NR 724 REMEDIAL AND INTERIM ACTION DESIGN, IMPLEMENTATION, OPERATION, MAINTENANCE AND MONITORING REQUIREMENTS, was changed to require the utilization of forms to report sample results during the O&M phase. In addition to providing consistent reporting, the PECFA program believes the standardized submittals will reduce the verbiage historically contained within these reports and subsequently reduce costs. Only items five and six listed below requires verbiage. The program does not expect the costs to produce these reports to exceed \$500. An abbreviated version of NR 724.17 Long-term monitoring, is listed below.

Within 30 days after any sampling event submit to the department (DNR or COMM) the following:

1. Site map,
2. Sample results on forms (Form 4400-194) provided by the DNR,
3. Monitoring results in tabular and graph form,
4. Lab analytical reports and chain-of-custody,
5. Identification of any standards that have been attained or exceeded and
6. Preliminary analysis of increases and standards exceedences in concentrations

**“WHERE DO I
SEND
DOCUMENTS?”**

Since the reorganization of the PECFA program, both the Claim and Site Review Sections have been besieged by documents, reports and letters. Please, before the PECFA Bureau is copied on a letter or report consider the necessity for the Bureau to possess the letter or report. Currently, both sections have documents that; the Bureau does not review, should be in the claim or have never been sent to the Bureau before.

These documents include; groundwater status reports, tank closure reports, “as built” reports and site investigation reports without a claim. The Bureau has neither the space nor the staff to deal with these orphan documents.

Effective March 1, 1997, these orphan documents will be destroyed (recycled). Consider the irony, *environmental* consultants producing paper documents with a life span of one week and costs that would be better spent remediating the environment.

Listed below is an attempt to direct documents and letters to the appropriate department and section. This list may not be all inclusive and is not intended to surrogate DNR or COMM Administrative Rules or DNR Guidences.

Please do not send, by default, remedial alternatives and investigation cap exceedence requests to Eric Scott. Send these documents to the appropriate Site Reviewer as listed in *PECFA Update 11* and restated in the attached *PECFA SITE REVIEW ZONES* table.

SITE REVIEW (Zones)*

CLAIM REVIEW

DNR REVIEW (Regions)

	<u>(Madison)**</u>	
SI Exceedence Request/Response	Consultant/Consulting Firm Registration/Complaints	Tank Closure Reports
RA Request/Response	Assignment of COMM #	Work Plans (SI & RA)
Methodology to Divide Eligible/Ineligible Costs Request/Response	Determination of PECFA Eligibility	Site Investigation Reports
Issues Regarding Site Specific Soil Standards for Commerce Sites	Determination of PECFA Award/Deductible	Remedial Design Reports for DNR Sites
O&M, Monitoring & Optimization Reports for Commerce Sites	Utility Replacement	“As Built” Reports for DNR Sites
Closure Request/Response for Commerce Sites	Bid & Proposal Waivers	O&M, Monitoring & Optimization Reports for DNR Sites
Form 4B Submittals for Commerce Sites	Equipment Sales & Transfers	System Modification for DNR Sites
	Change Order Notifications & Requests	Closure Including Flexible Closure Request/Response for DNR Sites
	Claims and Associated Reports Including Tank Closure Reports, Site Investigation, RAP & RA	Issues Regarding Natural Attenuation & Flexible Closure
	Claim Appeals	Landspreading Request/Response

* See attached *PECFA SITE REVIEW ZONES*

** Claim Review is located at:

Dept. of Commerce
PO Box 7969
201 E Washington Ave
Madison WI 53707-7969

**PECFA
ELIGIBLE
ANALYTES
FOR
PETROLEUM
RELATED
PROJECTS**

The following list of tests are commonly eligible for reimbursement under the PECFA program. The program believes that by providing this list, the laboratory bidding process will be simplified. The listing assumes other provisions of eligibility included in the statutes and ILHR 47 are met. The listing is provided as a guide in constructing annual bid documents.

NOTE: Simply obtaining a “price list” from a laboratory with these tests quoted does not meet the requirement of ILHR 47 for conducting of bids for laboratory services. The intent of the rule is to obtain volume discounts by estimating the total number of samples a firm is expecting to analyze in the following year.

* Several of the analytes listed below may be included under one or more categories.

* Many of the analytes may be measured in the field using field test kits or meters.

Conventional Analytes

Cadmium
DRO
GRO
GRO/PVOCs
Lead
PAHs
PVOCs
VOCs (8021)

Groundwater Discharge

BOD
Oil and grease
Total Kjeldahl nitrogen
Total suspended solids

Characterization for Natural

Attenuation (GW)

Alkalinity
Dissolved iron
Dissolved manganese
Dissolved oxygen
Heterotrophic plate counts
Methane
Nitrate
Sulfate

Subsurface Characterization

Alkalinity
Dissolved iron
Grain size analysis
Hardness
Permeability
Soil moisture content
SPLP
Total iron
Total organic carbon (TOC)

Characterization for Passive

Bioremediation/Natural

Attenuation (soil)

% Organic matter
Ammonia nitrogen
pH
Soluble Manganese
Soluble phosphorus
Total Kjeldahl nitrogen
Total sulfate

Other

Flash point
Paint filter
pH

PECFA SITE REVIEW ZONES

Effective February 26, 1997

The addresses, phone numbers and fax numbers are current as of this printing. Changes will continue to occur in the near future as Oshkosh and Rhinelander Zones move to new office spaces. Addresses shaded in grey are changes since Update 11.

ZIP CODE STARTING WITH;	SITE REVIEW ZONE	CONTACT (subject to change)
530 531 532 534	Milwaukee	Nancy Kochis (414-220-5372) Jennifer Skinner (414-220-5373) Dept of Commerce 101 W Pleasant St Suite 205 Milwaukee WI 53212-3939 FAX 414-220-5374
535 537 538	Madison	Stan Senger (608-264-8766) Dept of Commerce PO Box 7969 201 E Washington Ave Madison WI 53707-7969 FAX 608-267-1381
541 542 543	Green Bay	Vacant Send to the Oshkosh Zone
544 545	Rhinelander	Laurel Sukup (715-365-8918) Dept of Commerce PO Box 818 107 Sutliff Ave Rhinelander WI 54501-0818 FAX 715-356-8932
539 546	La Crosse	Gordon Kline (608-261-6543) Dept of Commerce PO Box 7969 201 E Washington Ave Madison WI 53707-7969 FAX 608-267-1381
540 547 548 551	Eau Claire	Shanna Laube (715-762-5557) Dept of Commerce PO Box 530 214 N 4th Ave Park Falls WI 54552-0530 FAX 715-762-0054
549	Oshkosh	Tom Verstegen (414-424-7887) Dept of Commerce

		PO Box 2565 905 Bay Shore Dr. Oshkosh WI 54903-2565 FAX 414-424-4404
--	--	---